

OLC 78-0232

15 FEB 1978

MR
OLC RECORD COPY

MEMORANDUM FOR: Mr. John F. Blake, Deputy Director for
Administration

FROM : [] Acting Legislative Counsel

SUBJECT : Lifting of the Moratorium on the Destruction
of Agency Documents []

1. [] We discussed with Professor G. Robert Blakey, Chief Counsel and Director, House Select Committee on Assassinations, if his Committee would have any objection to the resumption of normal destruction of documents in view of the decision of the Senate Select Committee on Intelligence to lift the moratorium. Attached is a copy of the Director's letter to Chairman Thomas N. Downing not to lift the moratorium without the Committee's approval.

2. [] Mr. Blakey requested that since the Committee's review of Agency documents is in high gear, he did not want to discuss the lifting of the moratorium for at least six weeks when he feels most of the review will be completed. I am pleased to note that the Committee staff was most appreciative of the assistance provided by [] explaining Agency documents and filing systems which greatly facilitated the Committee's review.

3. [] It is requested that the moratorium remain in effect. We will, together with [] contact the Committee in six weeks and at that time seek clearance for the lifting of the moratorium to resume normal destruction.

Attachment

cc []

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United States Senate

SELECT COMMITTEE ON INTELLIGENCE

(PURSUANT TO S. RES. 44, 87TH CONGRESS)

WASHINGTON, D.C. 20510

December 21, 1977

Executive Registry

TT-9253/2

OLC-77-5740

Handwritten: JCS
SSC
77-824
IN REPLY PLEASE
REFER TO Q#1237
Director's office

Admiral Stansfield Turner
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Admiral Turner:

On July 17, 1976 I requested that the moratorium on destruction of intelligence and investigative records originally requested by Senators Mansfield and Scott be extended through December 17, 1976. No further extensions have been formally requested. Therefore, all agencies maintaining records pursuant to the moratorium may return to normal records destruction policies.

I would request that any changes in records maintenance or destruction procedures affecting intelligence or investigations which have been promulgated since the moratorium was instituted as well as any future changes in procedures be brought to the attention of the Senate Select Committee on Intelligence.

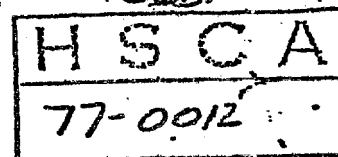
Aloha,

Handwritten signature of Daniel K. Inouye
Daniel K. Inouye
Chairman

Washington, D.C. 20505

8 DEC 1976

Honorable Thomas N. Downing, Chairman
Select Committee on Assassinations
House of Representatives
Washington, D. C. 20515



Dear Mr. Chairman:

STAT of my staff, has relayed to me the interest of your Chief Counsel, Mr. Richard Sprague, that records related to the investigation of the deaths of John F. Kennedy and Martin Luther King, Jr. not be destroyed once the "moratorium" on the destruction of Agency records is lifted. Let me assure you that there is no cause for concern.

The "moratorium" was imposed on the destruction of CIA records in 1975 during the investigation by the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities and will expire on 10 December 1976. At that time regular document destruction will begin in accordance with records control schedules approved by the Archivist of the United States and subject to review by the Senate Select Committee on Intelligence. The Agency's policy in regard to the lifting of the destruction "moratorium" and the application of records control schedules to the orderly disposition of Agency records was published in the Federal Register, a copy of which is enclosed.

It is CIA's policy to fully support investigative bodies of the Executive, Legislative, or Judicial Branch, and we will continue to do so. Once the "moratorium" is lifted, we will destroy no materials which would appear to relate to your investigations or be of interest to your Committee. Further, we will make available for your review the lists for disposition of records prepared for the Archivist at the same time these lists are submitted to the Senate Select Committee on Intelligence. Material designated for destruction in the lists will not be destroyed until your Committee notifies the Agency that it has completed its review, and has no objection. To date, 15 lists have been furnished to the Senate Select Committee and they will be made available for your review immediately.

I assure you that no documents which we are aware of as being related to your investigation will be destroyed.

Sincerely,

310120
George Bush

Enclosure

Distribution:

Orig. - Addressee w/encl.

1 - DCI w/encl.

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1 - OGC w/encl.

1 - IG w/encl. OLC/Subj. w/encl. ✓

1 - ER w/encl. OLC/Chrono wo/encl.

OLC:PLC:dla (typed 7 December 1976)

NOTICES

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

CASCADE HEAD SCENIC-RESEARCH AREA

Availability of Final Environmental Statement

Pursuant to section 102(2) (C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a Final Environmental Statement for the Management Plan on the Cascade Head Scenic-Research Area, USDA-FS-PES (Adm)

The environmental statement concerns management Plan which specifies management objectives and management actions necessary for the protection, development and development of the Cascade Head Scenic-Research Area. Management Plan strives to promote cooperative relationship with private owners within the Area so the intent of L. 93-535 and the plan can be it provides for limited new public uses to aid area visitors and it sets limits on some uses and activities. It sets management direction for the "Slope-Dispersed Residential Subdivisions" which may result in some additional subdivisions being built. It establishes a subdivision program to implement provisions of this plan and of Pub. L. 93-535. It establishes a long term goal of protecting the Salmon River estuary and associated wetlands to a natural ecosystem free from man's development. It displays a research program to study the coastal ecosystem.

Final Environmental Statement transmitted to CEQ on November 15,

copies are available for inspection during regular working hours at the following locations:

Forest Service, South Agriculture Building, Room 3210, 12th St. and Independence Ave., S.W., Washington, D.C. 20250.
Forest Service, Pacific Northwest Region, Multnomah Building, 319 S.W. Pine St., Portland, Oregon 97204.
Forest Service, Siuslaw National Forest, 545 S.W. 2nd, Corvallis, Oregon 97330.

Forest Service, Siuslaw National Forest, Hebo Ranger District, Hebo, Oregon 97330.

A limited number of single copies are available upon request to:

Supervisor, Siuslaw National Forest, 545 S.W. 2nd, Corvallis, Oregon 97330.

Copies of the Environmental Statement have been sent to various

State, and local agencies as outlined in the CEQ guidelines.

R. Max Peterson,
Deputy Chief, Forest Service.

November 16, 1976.

[FR Doc. 76-34333 Filed 11-19-76; 8:45 am]

Packers and Stockyards Administration

JOE TATE COMMISSION BARN, INC.,
LEBEAU, LOUISIANA, ET AL.

Depositing of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Facility No.	Name and Location of Stockyard	Date of Posting
LA-124	Joe Tate Commission Barn, Inc., Lebeau, La.	Oct. 15, 1964
MI-125	Lincoln Livestock Auction Yards, Lincoln, Mich.	Apr. 23, 1959
PA-118	Greenville Livestock Auction, Greenville, Pa.	Jan. 15, 1963
SC-126	Greer Livestock Co., Greer, S.C.	Apr. 25, 1973
TX-159	Community Exchange, Inc., Edinburg, Tex.	Nov. 20, 1953
VT-138	Whiting Livestock Commission Sales, Whiting, Vt.	May 15, 1961

Notice or other public procedure has not preceded promulgation of the foregoing rule. There is no legal justification for not promptly depositing a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule relieving a restriction and may be made effective in less than 30 days after publication in the Federal Register. This notice shall become effective on November 22, 1976.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C. this 16th day of November, 1976.

Edward L. Thompson,
Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

CENTRAL INTELLIGENCE AGENCY

CONTROL OF RECORDS DESTRUCTION

Procedures and Policy

On September 7, 1976 a notice was issued to all CIA personnel setting out policy and procedures for the control of records destruction. The purpose of this Notice is to insure that destruction of unnecessary or improperly maintained records is carried out in the manner prescribed by statute and by clearance of the Senate Select Committee on Intelligence.

Records subject to the moratorium on destruction will not be destroyed prior to December 10, 1976.

The text of the Notice is as follows:

RECORDS CONTROL SCHEDULES AND THE DESTRUCTION MORATORIUM

(1) CIA has statutory obligations (44 U.S.C. 33) to obtain approval of the Administrator of General Services for the retention and destruction of records. The mechanism for obtaining GSA approval is the submission of records control schedules to the National Archives and Records Service (NARS) for approval by the Archivist of the United States. GSA Bulletin FPMR 5-62, dated 23 January 1976, requires Federal agencies to submit to NARS updated records control schedules by 31 December 1976. In a memorandum dated 20 April 1976, the DCI directed that Agency records control schedules be updated by 30 September 1976 and processed through the Directorate of Administration for approval by NARS prior to the destruction of records.

(2) Senate Resolution 21, dated 21 January 1975, established the Senate Select Committee to Study Governmental Operations With Respect to Intelligence Activities. The Senate leadership requested in a letter dated 27 January 1975 that the Agency not dispose of any records or documents bearing on the subjects under investigation by the Select Committee. In a memorandum dated 23 January 1975, Mr. Colby directed that any records or documents that may have a bearing on Senate Resolution 21 not be destroyed. This was extended to include practically all Agency documents. This hold on destruction has since been referred to as "the moratorium." In a letter to the Senate leadership dated 22 June 1976, the DCI extended the moratorium on destruction of records until 10 December 1976.

(3) CIA policy on destruction of records

(a) All records, including those falling under NARS, which are not covered by records control schedules approved by NARS (with a copy provided to the Senate Select Committee on Intelligence) prior to their destruction.

(b) Routine administrative records not involved under Senate Resolution 21 that are scheduled for immediate destruction will be destroyed upon receipt of NARS approval and after appropriate clearance from the Senate Select Committee.

(c) Records involved under Senate Resolution 21 that are scheduled for immediate destruction will be destroyed after NARS approval, and appropriate clearance from the Senate Select Committee but in no case prior to 10 December 1978.

(d) Any Agency documents and materials that are identified by the General Counsel as the subject of litigation or of possible litigation, or as of interest in matters under investigation by the Justice Department, will not be destroyed without the prior approval of the General Counsel. This includes documents and materials relating to Freedom of Information Act and Privacy Act requests to the Agency.

(e) Extra copies of documents preserved only for convenience of reference or for distribution stocks of publications may be destroyed when no longer needed.

JOHN F. BLAKE,
Deputy Director for Administration.

[FR Doc. 34393 Filed 11-12-76; 3:15 am.]

CIVIL AERONAUTICS BOARD

[Order 78-11-73; Docket 27592, Agreement C.A.B. 26202; Docket 29123, Agreement C.A.B. 26204 R-1 through R-6; Agreement C.A.B. 26203 R-1 and R-2, R-4 through R-9, Agreement C.A.B. 26214, Agreement C.A.B. 26231]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Passenger Fare Matters

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted at either the Special Composite Passenger and Cargo Traffic Conference-Currency or the Composite Passenger Traffic Conference both held in Miami during August and September-October, respectively, of this year and, unless otherwise noted, intended for effect in November or December of 1976.

The agreements would have either direct application in air transportation as defined by the Act as follows: Agreement C.A.B. 26202 would exempt Fiji domestic and add-on fares from application of a currency-related surcharge on passenger fares originating in that country destined

to Area 2 (Europe/Middle East/Africa), Agreement C.A.B. 26203 would permit departure from the IATA fare construction rules for certain specified intra-Pacific routings, increase passenger fares between most Middle Eastern points by 3 percent, increase passenger fares between Italy/Paris and Tel Aviv by 5 percent, and amend certain South Atlantic proportional fares. Agreement C.A.B. 26214 would permit an existing exception to the IATA fare construction rules for certain Mid Atlantic normal economy fares to continue through March 31, 1977. Finally, Agreement C.A.B. 26231 would increase all passenger fares between certain Middle Eastern points and points on the Indian Sub-

continent by 5 percent. We will approve the agreements for the most part, improve which are combinable with the United States and the direct application in air as defined by the Act. C Mid-Atlantic proportional construct through fares to Rico and the Virgin Islands Atlantic, appear warrants they reflect changes in within Area 2. Pursuant to authority by the Board in the Board 14 CFR 235.14: 1. It is not found that resolutions, incorporated C.A.B. 26204 as indicated, the public interest as in Act:

Agreement C.A.B.	IATA No.	Title
26201:		
R-1.....	634b(7)	Mid-Atlantic First-Class Fares (Amending)
R-2.....	634b(1)	Mid-Atlantic Economy-Class Fares (Amending)
R-3.....	634b(11)	Mid-Atlantic First-Class Fares (Amending)
R-4.....	634b(12)	Mid-Atlantic Economy-Class Fares (Amending)
R-5.....	634b(11)	Mid-Atlantic First-Class Fares (Amending)
R-6.....	634b(11)	Mid-Atlantic Economy-Class Fares (Amending)

2. It is not found that the following resolutions, incorporated in as indicated and which have indirect application in Air Transportation by the Act, are adverse to the public interest or in violation of the

Agreement C.A.B.	IATA No.	Title
26202:	634b	JTENT Special Rules for Sales of Passenger Air Transportation (Expedited) (Amending)
R-1.....	634b	Special Amending Resolution (Expedited)
R-2.....	634b	Special Amending Resolution (Expedited)
R-3.....	634b	General Increase in Passenger Fares (Expedited) (New)
R-4.....	634b	General Increase in Passenger Fares (Expedited) (New)
R-5.....	634b	General Increase in Passenger Fares (Expedited) (New)
R-6.....	634b	South Atlantic Normal First-Class Fares (Expedited) (Amending)
R-7.....	634b	South Atlantic Economy-Class Fares (Expedited) (Amending)
R-8.....	634b	South Atlantic Economy-Class Fares (Expedited) (Amending)
26214:	634b	Special Amending Resolution (Expedited)
26231:	634b	General Increase in Passenger Fares (New)

3. It is not found that the following resolutions, incorporated C.A.B. 26206 as indicated, affect air transportation within the mean

Agreement C.A.B.	IATA No.	Title
26206:		
R-6.....	634b	Passenger Charters (Expedited) (Amending)
R-9.....	634b	TC3 Group Inclusive Tour Fares—Asia/South West Pacific (Expedited) (Amending)

Accordingly, it is ordered, That:

1. These resolutions set forth in finding paragraphs one and two above be and hereby are approved; and
2. Jurisdiction be and hereby is disclaimed with respect to the resolutions set forth in finding paragraph three above.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 235.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review is filed.

Board gives notice that it order on its own motion.

This order will be published in the FEDERAL REGISTER.

PHYLLIS

[FR Doc. 76-31859 Filed 11-

[Order 78-11-28 Dec

UNITED AIR LINE

Round-Trip Charter Ch
Discontinuing Ser

Adopted by the Civil Aer
at its office in Washington
day of November, 197